

**REGULAR MEETING
MAY 6, 1999**

The Ashland Board of Commissioners met in Regular Session in the Commission Chambers, City Building, Ashland, Kentucky, on Thursday, May 6, 1999, at the hour of 7:00 PM. Those present were Commissioners: Nancy Dickinson, Paul Reeves, Kevin Gunderson, Michael Stewart and Mayor A. R. Dunnigan, who presided. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Deborah D. Musser, City Clerk; Gary Watts, Fire Chief; Captain Tom Kelley, Acting Chief of Police; Tony Grubb, Finance Director; Doug Burns, Director of Planning and Community Development; Joseph P. Harris, Director of Public Services; Amanda Sinnette, Economic Development Director; Marion Russell, Assistant Director of Public Services; Michelle Veach, Assistant Finance Director; Mike Rogers, Mass Transit Superintendent and Reporters.

The invocation was given by Commissioner Reeves.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Fisher presented the agenda of May 6, 1999. Motion was made by Stewart, seconded by Reeves, to receive and file the agenda. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

MINUTES

Motion was made by Stewart, seconded by Dickinson, to dispense with the reading and approve the minutes of the Recessed Meeting held on February 25, 1999. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

HEARINGS AND REPORTS

Mayor's Comments - Mayor Dunnigan reported on information he had researched for a speech to the Boyd County Historical Society. City budget figures and number of authorized employees were obtained for ten-year periods beginning with 1919. The budget figures increased for every period ranging from 25% to 200% (1969). The number of employees was 342 in 1979 and is currently 310 authorized positions. All the information reveals that although inflation has risen 40%, the budget only increased 25%. This means that even with the personnel reductions made, there wasn't sufficient money to operate efficiently.

PUBLIC PARTICIPATION

Nancy Payne, 2209 Moore Street, questioned the Commission on the replacement of the Fire Station since the State has announced the present site will be used as part of the project to alter the intersection at 29th Street and Blackburn Avenue. She was informed that the station will be replaced in the same general area.

ORDINANCE NO. 46, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND

OF HOUSING AND URBAN DEVELOPMENT (HUD).

* * * * *

REGULAR MEETING MAY 6, 1999
ORDINANCE NO. 46, 1999 CONTINUED

WHEREAS, Ordinance No. 55, series of 1997, authorized A. R. Dunnigan, Mayor, to submit a statement the 1998 Action Plan for Community Development Block Grant funds in the sum of \$860,000 to the Federal Department of Housing and Urban Development (HUD);

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Amended Community Development Block Grant 1998 Action Plan, which amended plan is attached to this Ordinance, is hereby approved by the Board of Commissioners of said City and A. R. Dunnigan, Mayor, is hereby authorized and directed to submit said amended plan to the Federal Department of Housing and Urban Development. A true copy of said amendment is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999

READOPTED BY THE BOARD OF COMMISSIONERS: May 6, 1999

PUBLISHED:

MOTION

Motion was made by Stewart, seconded by Gunderson, to adopt Ordinance No. 46, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 47, 1999

SECOND

AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN, MAYOR,
TO SUBMIT THE 1999 ACTION **FINAL** PLAN IN THE
SUM OF \$855,000 FOR A COMMUNITY **ADOPTION**
DEVELOPMENT BLOCK GRANT TO THE U. S.
DEPARTMENT OF HOUSING AND URBAN

UNDERTAKE THESE ACTIVITIES AND/OR ANY AND
ALL DOCUMENTS ASSOCIATED WITH THE GRANT
SUBMITTAL.

* * * * *

REGULAR MEETING MAY 6, 1999
ORDINANCE NO. 47, 1999 CONTINUED

WHEREAS, it is necessary and in the public interest that the City of Ashland, Kentucky, avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974 in order to continue a Community Development Program within the City of Ashland; and

WHEREAS, the Federal Department of Housing and Urban Development requires that such a statement for Title I assistance be submitted to the Department of Housing and Urban Development (HUD) thirty (30) days prior to the beginning of the next program year; and

WHEREAS, it is recognized that the federal contract for such financial assistance, pursuant to said Title I, will impose certain obligations and responsibilities upon the City of Ashland and will require, among other things:

- (1) approval of a satisfactory statement by the Federal Department of Housing and Urban Development (HUD);
- (2) certification by the City of Ashland, Kentucky, or its designee, relating to activities such as civil rights, citizen participation, relocation payments, acquisition of properties, national environmental policies and accounting practices; and
- (3) other local obligations and responsibilities in connection with the undertaking and carrying out of the Community Development Program;

WHEREAS, in those areas where acquisition and clearance is proposed, the objectives of the program cannot be achieved through more extensive rehabilitation comprising the program; and

WHEREAS, a duly advertised and conducted Public Hearing on this proposal was held on April 14, 1999; and

WHEREAS, said Statement contains an allocation of funds and a scheme or proposed expenditures for the Community Development Block Grant:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Statement on behalf of the City of Ashland for Community Development Block Grant Funding under Title I of the Federal Housing and Community Development Act of 1974, in the sum of \$855,000.00, which statement is attached to this Ordinance and the 1999 Action Plan are hereby approved by the Board of Commissioners of said City and A. R. Dunnigan, Mayor, is hereby authorized and directed to execute and submit said Statement, and subsequent Agreement to the Federal Department of Housing and Urban Development for approval; to provide such

hereby are, assured of full compliance by the Board of Commissioners of the City of Ashland, Kentucky, with certifications relating to all regulations and administration of Civil Rights Act, citizen participation, relocation payments, acquisition processes, accounting procedures, the Hatch Act, minimum wage and minimum hour provisions of the Fair Labor Standards Act, and all requirements of the National Environmental Policy Act of 1968.

SECTION 3. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

REGULAR MEETING MAY 6, 1999
ORDINANCE NO. 47, 1999 CONTINUED

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: May 6, 1999
PUBLISHED:

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. 47, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 48, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, ACKNOWLEDGING THE TRANSFER OF
AND FRONTIERVISION OPERATING PARTNERS, L.P.
TO FINAL ADELPHIA COMMUNICATIONS CORPORATION.
ADOPTION

* * * * *

WHEREAS, FrontierVision Operating Partners, L.P. has made the decision to sell its cable television system serving the City of Ashland to Adelphia Communications Corporation effective February 22, 1999;

SECTION 2. That A. R. Dunnigan, Mayor of the City of Ashland, is hereby authorized and directed to execute on behalf of the City any necessary documents consenting to the sale.

SECTION 3. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: May 6, 1999
PUBLISHED:

REGULAR MEETING MAY 6, 1999
ORDINANCE NO. 48, 1999 CONTINUED

MOTION

Motion was made by Reeves, seconded by Stewart, to adopt Ordinance No. 48, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 49, 1999

SECOND

AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING A. R.
DUNNIGAN, **AND** MAYOR, TO EXECUTE A
MEMORANDUM OF **FINAL** UNDERSTANDING
BETWEEN THE CITY OF ASHLAND **ADOPTION**
AND THE PARAMOUNT ARTS CENTER
REGARDING THE PARAMOUNT THEATRE
PROJECT.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:
SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky be and is hereby authorized to execute a Memorandum of Understanding between the City of Ashland, Kentucky and the Paramount Arts Center regarding the Paramount Theatre Project. A copy of said Memorandum

and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: May 6, 1999
PUBLISHED:

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. 49, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

RESOLUTION NO. 11, 1999

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING, AUTHORIZING AND APPROVING THE COURSE OF ACTION RECOMMENDED BY THE CITY MANAGER ON THE ITEMS APPEARING ON THE CONSENT AGENDA FOR THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF **MAY 6, 1999**.

REGULAR MEETING MAY 6, 1999

RESOLUTION NO. 11, 1999 CONTINUED

* * * * *

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:
SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action recommended by the City Manager on each item appearing on the "Consent Agenda" for the meeting of **May 6, 1999**. Attached hereto and incorporated herein, as if set out in full, is a copy of the "Consent Agenda" hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER

Motion was made by Reeves, seconded by Stewart, to adopt Resolution No. 11, 1999. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN,
MAYOR, TO EXECUTE AN AGREEMENT **ADOPTION**
BETWEEN THE CITY OF ASHLAND AND
FIVE STATE **ONLY** PROPERTIES, LLC
REGARDING A SIGN AND PARKING
ENCROACHMENT AT 2160 CARTER AVENUE ON
THE CITY'S RIGHT-OF-WAY.

MOTION

Motion was made by Reeves, seconded by Gunderson, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN,
MAYOR, TO EXECUTE AN AGREEMENT **ADOPTION**
BETWEEN THE CITY OF ASHLAND AND
JOHN M. **ONLY** REDMOND REGARDING AN
ENCROACHMENT FOR A DRIVEWAY AT 2548
HILTON AVENUE ON THE CITY'S RIGHT-OF-
WAY.

REGULAR MEETING MAY 6, 1999
ORDINANCE NO. _____, 1999 CONTINUED

MOTION

Motion was made by Dickinson, seconded by Stewart, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN.

RIGHT-OF-WAY.

MOTION

Motion was made by Reeves, seconded by Stewart, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST

AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN,
MAYOR, TO EXECUTE AN AGREEMENT **ADOPTION**
BETWEEN THE CITY OF ASHLAND AND
PARSONS **ONLY** FURNITURE INC., 1638
WINCHESTER AVENUE, FOR SIDEWALK
REPLACEMENT UNDER THE 50/50 SIDEWALK
REPLACEMENT PROGRAM FOR THE DEPARTMENT
OF PUBLIC SERVICES, DIVISION OF
STREETS, WITH THE CITY'S PORTION TO BE
PAID FROM MAP FUNDS.

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST

AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN,
MAYOR, TO EXECUTE A CONTRACT **ADOPTION**
BETWEEN THE CITY OF ASHLAND AND
RAIL **ONLY** CONSTRUCTION CO., INC. FOR THE
PURCHASE OF ALL LABOR, MATERIALS,
EQUIPMENT AND SERVICES FOR THE
DEMOLITION AND REMOVAL OF ALL DEBRIS OF
2800 MONTGOMERY AVENUE, 3000 BATH
AVENUE, 4117 HART STREET AND 1712
HILTON AVENUE FOR THE DEPARTMENT OF
PUBLIC SERVICES, DIVISION OF PROPERTY
CODE ENFORCEMENT.

REGULAR MEETING MAY 6, 1999

ORDINANCE NO. _____, 1999 CONTINUED

MOTION

Motion was made by Gunderson, seconded by Stewart, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves,

READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. AND DUNNIGAN,
MAYOR, TO SUBMIT A GRANT ADOPTION
APPLICATION TO THE U. S. DEPARTMENT
OF ONLY HOUSING AND URBAN DEVELOPMENT
FOR A WELFARE-TO-WORK SECTION 8 TENANT-
BASED ASSISTANCE PROGRAM.

MOTION

Motion was made by Reeves, seconded by Stewart, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, FIXING THE AD
VALOREM TAX LEVY AND FOR THE
YEAR 1998, PAYABLE IN THE YEAR 1999, ON
ADOPTION REAL ESTATE, PERSONAL
PROPERTY, AND ONLY FRANCHISES IN THE
CITY OF ASHLAND FOR THE CITY REVENUE
PURPOSES, PROVIDING FOR A DISCOUNT OF
ONE PERCENT (1%) ON AD VALOREM TAXES
ONLY WHICH ARE PAID ON OR BEFORE JUNE
30, 1999 AND PROVIDING FOR A PENALTY OF
TEN PERCENT (10%) AND SIX PERCENT (6%)
INTEREST PER ANNUM FOR ANY TAXES WHICH
ARE PAID AFTER THE DUE DATE.

MOTION

Motion was made by Stewart, seconded by Gunderson, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, FIXING THE TAX LEVY
FOR THE YEAR AND 1999, PAYABLE
IN THE YEAR 2000, ON THE BANK ADOPTION
DEPOSITS FRANCHISE TAX FOR REVENUE
PURPOSES ONLY BY THE CITY OF ASHLAND.

MOTION

Motion was made by Stewart, seconded by Gunderson, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed

FIRST AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, REPEALING ORDINANCE
NO. 34, SERIES **AND** OF 1997 AND
ORDINANCE NO. 20, SERIES OF 1999,
ADOPTION AND CREATING AN OCCUPATIONAL
LICENSE FEE TO **ONLY** BE CHARGED TO THOSE
PARTIES WHO PRACTICE A BUSINESS, TRADE
OR PROFESSION WITHIN ASHLAND'S
CORPORATE LIMITS.

MOTION

Motion was made by Stewart, seconded by Gunderson, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Gunderson, Stewart and Mayor Dunnigan. Nay - Commissioner Reeves. Motion passed.

ORDINANCE NO. _____, 1999

FIRST AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AMENDING THE
AUTHORIZED **AND** POSITIONS BY ADDING
THE POSITION OF **ADOPTION**
OCCUPATIONAL TAX CLERK AND ITS JOB
ONLY DESCRIPTION AND REDUCING THE NUMBER
OF POSITIONS IN THE DEPARTMENT OF
PUBLIC SERVICES AND ELIMINATING A
POSITION IN THE DEPARTMENT OF PLANNING
AND COMMUNITY DEVELOPMENT AS ADOPTED BY
ORDINANCE NO. 25, SERIES OF 1991, AND
PREVIOUSLY AMENDED.

MOTION

Motion was made by Gunderson, seconded by Dickinson, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - Mayor Dunnigan. Motion passed.

RESOLUTION NO. 12, 1999

A RESOLUTION OF THE CITY OF ASHLAND,
KENTUCKY, PROVIDING FOR THE ORDERLY
SUCCESSION OF THE OFFICE OF THE MAYOR
OF THE CITY OF ASHLAND, KENTUCKY, IN
THE EVENT OF A NATIONAL OR STATE
EMERGENCY.

* * * * *

WHEREAS, the Ashland Board of City Commissioners deems it necessary to provide for the orderly succession of Office of Mayor, City of Ashland, in the event of the absence or disability of the Mayor when involving a National or State emergency;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF

SECTION 2. If neither the Mayor or Mayor Pro-Tem is able to serve in the Office of the Mayor, then the duties of the Office of the Mayor shall be assumed temporarily by a member of the Ashland Board of City Commissioners.

REGULAR MEETING MAY 6, 1999
RESOLUTION NO. 12, 1999 CONTINUED

SECTION 3. This resolution shall be in full force and effect from and after its adoption, as required by law, and shall expire on December 31, 2000.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 6, 1999

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Resolution No. 12, 1999. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

RESOLUTION NO. 13, 1999

**A RESOLUTION OF THE CITY OF ASHLAND,
KENTUCKY, AUTHORIZING THE PAYMENT OF A
DISCRETIONARY EMPLOYEE BONUS IN
RECOGNITION OF FAITHFUL SERVICE
PERFORMED BY CERTAIN EMPLOYEES OF THE
CITY OF ASHLAND WHO HAVE BEEN EMPLOYED BY
THE CITY FOR FIVE YEARS OR MORE.**

* * * *

WHEREAS, it is the desire of the Board of Commissioners of the City of Ashland to recognize faithful past service performed by employees who have been employed by the City of Ashland for five years or more, and

WHEREAS, Tony Grubb, Finance Director, has reported to this Board that the financial condition of the City of Ashland is sufficient to pay said bonus,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ASHLAND,
KENTUCKY:**

SECTION 1. That the word "employee" wherever used in this resolution in either its singular or plural form, shall not apply to persons employed in the Department of Fire, whose conditions of employment are determined by a collective bargaining contract with the City of Ashland.

SECTION 2. That the Board of Commissioners after due consideration of the report of the Finance Director hereby grants to all active employees with five years

during the month of June, 1999. Such bonus is not measured by hours worked, production or efficiency. All employees presently employed by the City of Ashland who were employed prior to June 1, 1976, will be allowed to include all years of service with the City, whether or not continuous, in calculating such bonus which may be awarded. On or after the date, only continuous years of service shall be included in calculation of any such bonus which may be awarded. Employees leaving their employment with the City on leave of absence authorized by the City Manager will consider years of actual service to be continuous if said years are only interrupted by such absence from service duly authorized by the City Manager.

REGULAR MEETING MAY 6, 1999
RESOLUTION NO. 13, 1999 CONTINUED

SECTION 3. All resolutions and parts of resolutions in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 4. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 6, 1999

MOTION

Motion was made by Reeves, seconded by Gunderson, to adopt Resolution No. 13, 1999. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

DISCUSSION

Request for limited use of public right-of-way by Curtis Livingston at 2333 Broad Street -
Motion was made by Stewart, seconded by Reeves, authorizing the Legal Department to prepare an ordinance. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ADJOURNMENT

Mayor Dunnigan declared the meeting adjourned at 7:49 PM.

A.R. DUNNIGAN, MAYOR

ATTEST: